



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग दोन

वर्ष ३, अंक ६०]

मंगळवार, नोव्हेंबर ७, २०१७/कार्तिक १६, शके १९३९

[पृष्ठे ९, किंमत : रुपये ७.००

असाधारण क्रमांक १०७

प्राधिकृत प्रकाशन

महाराष्ट्र औद्योगिक विकास महामंडळ

नोटीस

क्रमांक मऔविम/मुनि/अ८४६०२/२०१७

ज्याअर्थी, महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६ च्या (यापुढे ज्यांचा उल्लेख “उक्त अधिनियम” असा केला आहे) कलम ४० (१अ) अन्वये महाराष्ट्र औद्योगिक विकास महामंडळास विशेष नियोजन प्राधिकरण म्हणून नियुक्त केले आहे ;

आणि ज्याअर्थी, उक्त अधिनियमाच्या तरतुदीनुसार प्रदान करण्यात आलेल्या अधिकारांचा आणि याबाबतीत त्यास समर्थ करण्याच्या सर्व इतर अधिकारांचा वापर करून महामंडळाने घोषित केलेल्या क्षेत्रासाठी सुधारित विकास नियंत्रण नियमावली (यात यापुढे जिचा निर्देश “उक्त नियमावली” असा करण्यात आला आहे) तयार केली आहे ;

आणि ज्याअर्थी, नगर विकास विभाग महाराष्ट्र शासनाने उक्त अधिनियमाच्या कलम ११५ (१) अन्वये महाराष्ट्र शासन नगर विकास विभाग अधिसूचना क्र. टी.पी.बी/४३०८/४६५/सीआर-६४/०८/युडी-११, दिनांक ३१ ऑगस्ट २००९ याद्वारे नियमावलीस मंजूरी देण्यात आली आहे ;

आणि ज्याअर्थी, व्यापारी व निवासी भूखंडाचा विकास करताना भूखंडधारक संपूर्ण चटई क्षेत्र निर्देशांक वापरू शकत नाही कारण वरील मजल्याकरीता व्यापारी वापरासाठी मागणी दिसून येत नाही. त्याचप्रमाणे निवासी भूखंडांमध्ये तळमजला हा व्यापारी प्रयोजनाकरीता वापरण्याची मागणी आहे. सध्याच्या सुधारित विकास नियंत्रण नियमावलीमध्ये मिश्र-भू-वापर करणेकरीता कोणतीही तरतूद नसल्यामुळे भूखंडधारकांनी व्यापारी व निवासी भूखंडांमध्ये मिश्र-भू-वापर करणेकरीता मागणी केलेली आहे ;

आणि ज्याअर्थी, उक्त नियमावलीमध्ये फेरबदल करणे इष्ट आहे असे महामंडळास वाटल्याने महाराष्ट्र औद्योगिक विकास महामंडळाच्या संचालक मंडळाची सभा क्र. ३७१, दिनांक २१ जून २०१७ चा ठराव क्र. ५६७६ अन्वये उक्त नियमावलीमध्ये खालीलप्रमाणे बदल करण्यास मंजूरी देण्यात आली आहे.

### 1. Modifications in Regulation 18.1 Table 3 as mentioned below :—

Existing Provision	Proposed Provision
Nil	To Insert Sr. No. 13 in Table No. 3 as Mixed Land use on Residential and Commercial Plot. a) Residential use: Max. Permissible basic FSI 1.00 b) Commercial Use: Max. Permissible basic FSI as mentioned at Sr. No. 7 of Table No. 3.

2. Note No. (ix) shall be added below Table No. 3 ;

Note No. (ix) : Mixed land-use on Residential and Commercial Plots shall be allowed with below mentioned conditions :—

1. In mix land use the basic FSI , Addl. FSI distribution of commercial and residential use is as under :—

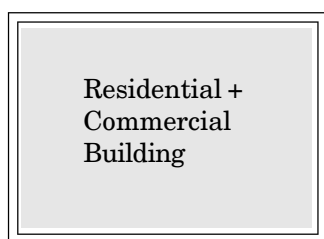
Sr No.	Land use		Basic FSI as per Table No. 3	Distribution of Basic FSI		Distribution of Addl. FSI	
				Commercial	Residential	Commercial	Residential
				Use	Use	Use	Use
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Residential Use	For all plots	1.0	Upto 0.4	Minimum 0.6	Upto 0.2	Minimum 0.3
2	Commercial use— (a) In notified areas situated within the Municipal corporation limits	For plots less than 1000 Sq.m.	1.0	Minimum 0.6	Upto 0.4	Minimum 0.3	Upto 0.2
		For plots of 1000 Sq.m. and above	1.5	Minimum 0.9	Upto 0.4	Minimum 0.3	Upto 0.2
		(b) All other areas	For all plots	1.0	Minimum 0.6	Upto 0.4	Minimum 0.3

2. Addl. FSI for commercial and residential plots will be applicable as mentioned in above table subject to payment of premium for such additional FSI as per the rates and conditions decided by the MIDC from time to time.

3. Access to residences shall be separate from those for other uses ; and

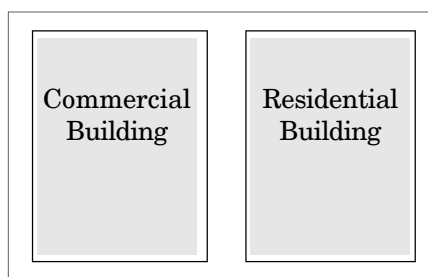
4. Parking shall be calculated as per Clause No. 37.1 Table No. 19 for residential and commercial use proportionately.

5. Mixed land use shall be permitted in single building and two different buildings on a single plot subject to condition No. 1, 2, above.



Road

**Mixed land-use in same building**



Road

**Mixed land-use in different building**

6. For the purpose of calculation of percentage of support activity and commercial activity, the principle use of the plot will remain unchanged.

7. All goods offered for sale and brought for repair shall be displayed and kept within the building. They shall not be kept in the passages or footpaths or roads.

8. No trade or business involving any danger of fire, explosion, offensive noise, vibrations, smoke, dust, glare, heat or other objectionable influence shall be allowed.

9. The uses other than residences shall provided access to them, whether by passages, staircases, lifts or ramps, shall be separate from that for residences.

**10. (a) Following uses shall be permitted where road width is less than 15m. :**

(i) Customary Home occupation, *i.e.* occupations customarily carried out by the members of household without employing hired labour and shall include stitching embroidery, button making, etc. with or without motive power. If motive power is used, the total electricity load should not exceed 1 H. P.

(ii) Dispensaries of medical and dental practitioners including pathological laboratories, diagnostic clinics, clinics and polyclinics, maternity homes and nursing homes with indoor patients.

(iii) Professional Offices in residential tenement not occupying a floor area exceeding 20 sq.m. each.

(iv) Community halls, welfare centre, gymnasia (each not exceeding 80 sq.m.)

(v) Primary and nursery schools (except trade schools) including students' hostels.

(vi) Convenience shops each not more than 10 sq.m. like ration shops, pan shops, iron-mongers (dhobi)/ dry cleaning shops, darners, tailors, groceries, confectionary and other general provision shops, hair dressing saloons and beauty parlors, bicycle hire and repair, shoe repair, umbrella repair, vegetable & fruit stalls, milk booths, florists, shops for bangles and other articles needed by women, small bakeries, newspaper stalls, tea shops, ATMs etc.

(vii) Police posts, Government sub-offices, Post and Telegraph offices, branch offices of banks with safe deposit vaults, electric sub-stations, fire station, and water installations and ancillary structures thereof required to cater to the local area.

(viii) Flour mill and wet / dry spices grinding subject to following conditions

- It is located on ground floor.
- Adequate care has been taken in structural design.
- It does not cause any nuisance to the neighbours and residents of upper floors.
- Power requirement does not exceed 10 H.P.

**10 (b) Following uses may be permitted where road width is 15m. and above :**

(i) All Uses permitted in 10 (a) shall be permitted in 10(b).

(ii) Stores or shops for the conduct of retail business including departmental stores. Storage and sale of combustible materials shall not normally be permitted except with the special permission of the Authority.

(iii) Personal service establishments, professional offices.

(iv) Frozen food lockers, fast food and vending stalls.

(v) Tailor shops not employing more than 9 persons and embroidery shops and button - hole making shops not employing more than 9 persons with individual motors not exceeding 1 H. P. and total H. P. not exceeding 3 H. P.

(vi) Shops for goldsmiths, locksmiths, watch and clock repairs, optical glass grinding and repairs, musical instrument repairs, picture framing, radio and household appliances repairs, upholstery and diamond cutting and polishing not employing, more than 9 persons with individual motors not exceeding 1 H. P. and total H. P. not exceeding 3 H. P.

(vii) Coffee grinding with electric motive power not exceeding 1 H.P.

(viii) Auto part stores and show rooms for motor vehicles and machinery.

- (ix) Sale of used or second hand goods or merchandise (not junk, cotton waste, rags or other materials of offensive nature).
- (x) Clubhouses or other recreational activities, conducted as business.
- (xi) Storage of furniture and household goods.
- (xii) Repairs to all household articles (excluding auto vehicle).
- (xiii) Veterinary dispensaries and hospitals.
- (xiv) Repair, cleaning shops and analytical, experimental or testing laboratories not employing more than 15 persons in the industrial activity but not including cleaning and dyeing establishment using a cleaning or dyeing fluid having a flash point lower than 60 degree C. and machines with dry load capacity of 30 kg. for any establishment carrying on activities that are noxious or offensive because of emission of odour, dust, smoke, gas, noise or vibration or otherwise dangerous to public health and safety, provided that the motive power requirement of such establishment does not exceed 10 H. P.
- (xv) Paper box manufacturing including paper cutting, not employing more than 9 persons, with motive power not exceeding 5 H. P. and area not more than 50 sq.m.
- (xvi) Mattress making and cotton cleaning, not employing more than 9 persons with motive power not exceeding 3 H.P. and area not more than 50 sq.m.
- (xvii) Commercial halls, exhibition halls, community halls, welfare centers, gymnasias, etc.
- (xviii) Art galleries, aquariums.
- (xix) Research, experimental and testing laboratories not involving any danger of fire or explosion nor of any noxious nature and located on a site not less than 4 Ha. in area and when the laboratory is kept at least 30 m. from any of the boundaries of the site and the necessary residential buildings 30 m. from the laboratory.
- (xx) Restaurants, eating houses, cafeteria, ice cream and milk bars.
- (xxi) Establishment for preparation and sale of eatables not occupying for production an area in excess of 75 sq.m. per establishment and not employing more than 9 persons. Sugarcane and fruit juice crushers not employing more than 6 persons with 1.5 H.P. with area not more than 25 sq.m. shall also come under this sub regulation.
- (xxii) Repairing garages not employing more than 9 persons and 2 H.P. motive power in the industrial activity with no floor above.
- (xxiii) Battery charging and repairing, not employing more than 6 persons with an area not more than 25 sq.m. and not more than 2 chargers with power not exceeding 5 KW.
- (xxiv) Photographic studios and laboratories with not more than 50 sq.m. area, not employing more than 9 persons and not using power more than 3 H. P.
- (xxv) Polyclinics or pathology laboratories on independent floors, preferably ground floor.
- (xxvi) Residential Hotels or Boarding and Lodging shall be permitted in independent building or parts of building, but on separate floors.
- (xxvii) Book Depot, Medicine and chemist shops.
- (xxviii) Business/ corporate office on any floor.
- (xxix) Corporate and other offices, star category hotels.
- (xxx) Theatres, cinema houses multiplexes, clubhouses, assembly or concert halls, dance and music studios and such other places of entertainment.
- (xxxi) Vegetable, fruit, flour, fish or meat market place with no residences above.

11. M.I.D.C may from time to time add to or amend the above list with the approval of C.E.O, M.I.D.C.

त्याअर्थी, उक्त अधिनियमाच्या कलम ३७, कलम ४० (३) तसेच कलम ११५, पोट-कलम (२) अन्वये महामंडळ **महाराष्ट्र शासनाच्या राजपत्रात** ही नोटीस प्रसिद्ध झाल्याच्या दिनांकापासून ३० दिवसांच्या मुदतीत सदर प्रस्तावित फेरबदलावर हरकती/सूचना मागविणेसाठी नोटीस प्रसिद्ध करीत आहे. सदर आक्षेप व सूचना मुख्य नियोजक, मऔविम यांच्या कार्यालयात खालील ठिकाणी लेखी स्वरूपात पाठवाव्यात.

मुख्य नियोजक,  
महाराष्ट्र औद्योगिक विकास महामंडळ,  
पाचवा स्तर, उद्योग सारथी, महाकाली गुंफा मार्ग,  
मरोळ औद्योगिक वसाहत, अंधेरी (पूर्व), मुंबई ४०० ०९३.

विहित मुदतीत आलेल्या हरकती / सूचनांचा विचार करून प्रस्ताव शासन मान्यतेसाठी सादर करण्यात येईल. विहित मुदतीनंतर प्राप्त होणाऱ्या हरकती / सूचनांचा विचार केला जाणार नाही.

मुंबई,  
दिनांक ७ नोव्हेंबर २०१७.

**कमलाकर आकोडे,**  
मुख्य नियोजक,  
महाराष्ट्र औद्योगिक विकास महामंडळ.

**MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION****Notice**

No. MIDC/CP/ A84602 /2017

Whereas the Government of Maharashtra in exercise of the powers conferred by sub-section (1A) of section 40 of Maharashtra Regional and Town Planning Act, 1966 ( hereinafter referred to as “ the said Act” ) has appointed Maharashtra Industrial Development Corporation (MIDC) as Special Planning Authority ;

And whereas in exercise of the powers conferred by the provision of the said act and all other powers enabling it in this behalf made the Development Control Regulations, (hereinafter referred as “the said regulations”) for the notified areas of MIDC;

And whereas *vide* section 115(1) of the said Act, the Government of Maharashtra in Urban Development Department has approved the said regulations *vide* notifications No. TPB/4308/465/CR-64/08/UD-11, dated 31st August 2009;

And whereas now, for development of commercial plots and residential plots the plot holder cannot consume total FSI as there is no demand of upper floor for commercial use. Similarly, in residential plots there is demand to use ground floor for commercial purpose. Therefore plot holders have demanded mixed land use in the commercial and residential plots as there is no any provision in Revised DCR-2009 to allow mix land use;

And whereas it is felt necessary to make below mentioned modifications/changes in the said regulations, MIDC in its Board Meeting No. 371 dated 21st June 2017 *vide* resolution No. 5676 has approved to make below mentioned modification in said regulations.

**1. Modifications in Regulation 18.1 Table 3 as mentioned below :—**

Existing Provision	Proposed Provision
Nil	To insert Sr. No. 13 in Table No. 3 as Mixed Land use on Residential and commercial plot. (a) Residential use: Max. Permissible basic FSI 1.00 (b) Commercial Use: Max. Permissible basic FSI as mentioned at Sr. No. 7 of Table No. 3.

**2. Note No (ix) shall be added below Table No. 3;**

*Note No. (ix) :* Mixed land-use on Residential and Commercial plots shall be allowed with below mentioned conditions :—

1. In mix land use the basic FSI, Addl FSI distribution of commercial and residential use is as under :—

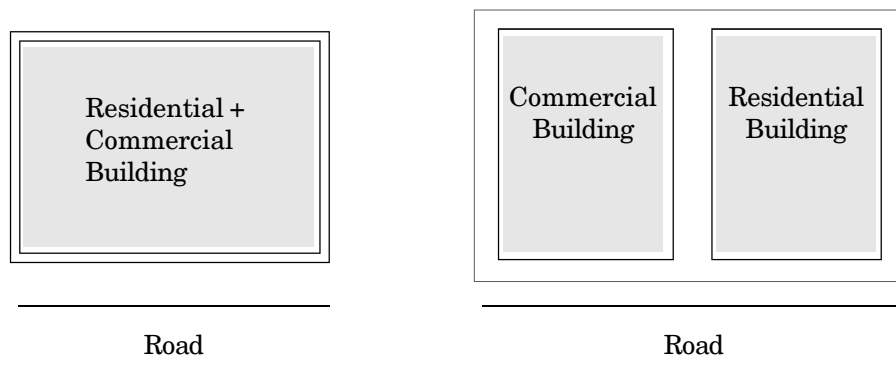
Sr. No.	Land use		Basic FSI as per Table No. 3	Distribution of basic FSI		Distribution of Addl FSI	
				Commercial Use	Residential Use	Commercial Use	Residential Use
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Residential Use	For all plots	1.0	Upto 0.4	Minimum 0.6	Upto 0.2	Minimum 0.3
2	Commercial use— (a) In notified areas situated within the Municipal corporation limits	For plots less than 1000 Sq.m.	1.0	Minimum 0.6	Upto 0.4	Minimum 0.3	Upto 0.2
		For plots of 1000 Sq.m. and above	1.5	Minimum 0.9	Upto 0.4	Minimum 0.3	Upto 0.2
	(b) All other areas	For all plots	1.0	Minimum 0.6	Upto 0.4	Minimum 0.3	Upto 0.2

2. Addl. FSI for commercial and residential plots will be applicable as mentioned in above table subject to payment of premium for such additional FSI as per the rates and conditions decided by the MIDC from time to time

3. Access to residences shall be separate from those for other uses; and

4. Parking shall be calculated as per clause No. 37.1 table No. 19 for residential and commercial use proportionately.

5. Mixed land use shall be permitted in single building and two different buildings on a single plot subject to condition No. 1, 2, above



**Mixed land-use in same building**

**Mixed land-use in different building**

6. For the purpose of calculation of percentage of support activity and commercial activity, the principle use of the plot will remain unchanged.

7. All goods offered for sale and brought for repair shall be displayed and kept within the building. They shall not be kept in the passages or footpaths or roads.

8. No trade or business involving any danger of fire, explosion, offensive noise, vibrations, smoke, dust, glare, heat or other objectionable influence shall be allowed.

9. The uses other than residences shall provided access to them, whether by passages, staircases, lifts or ramps, shall be separate from that for residences.

**10. (a) Following uses shall be permitted where road width is less than 15m :**

(i) Customary Home occupation, i.e. occupations customarily carried out by the members of household without employing hired labour and shall include stitching embroidery, button making, etc, with or without motive power. If motive power is used, the total electricity load should not exceed 1 H. P.

(ii) Dispensaries of medical and dental practitioners including pathological laboratories, diagnostic clinics, clinics and polyclinics, maternity homes and nursing homes with indoor patients.

(iii) Professional Offices in residential tenement not occupying a floor area exceeding 20 sq.m. each.

(iv) Community halls, welfare centre, gymnasias (each not exceeding 80 sq.m.)

(v) Primary and nursery schools (except trade schools) including students' hostels.

(vi) Convenience shops each not more than 10 sq.m. like ration shops, pan shops, iron-mongers (dhobi)/ dry cleaning shops, darners, tailors, groceries, confectionary and other general provision shops, hair dressing saloons and beauty parlors, bicycle hire and repair, shoe repair, umbrella repair, vegetable and fruit stalls, milk booths, florists, shops for bangles and other articles needed by women, small bakeries, newspaper stalls, tea shops, ATMs etc.

(vii) Police posts, Government sub-offices, Post and Telegraph offices, branch offices of banks with safe deposit vaults, electric sub-stations, fire station, and water installations and ancillary structures thereof required to cater to the local area.

(viii) Flour mill and wet/dry spices grinding subject to following conditions

- (a) It is located on ground floor.
- (b) Adequate care has been taken in structural design.
- (c) It does not cause any nuisance to the neighbors and residents of upper floors.
- (d) Power requirement does not exceed 10 hp.

**10 (b) Following uses may be permitted where road width is 15m and above :**

- (i) All Uses permitted in 10 (a) shall be permitted in 10 (b).
- (ii) Stores or shops for the conduct of retail business including departmental stores. Storage and sale of combustible materials shall not normally be permitted except with the special permission of the Authority.
- (iii) Personal service establishments, professional offices.
- (iv) Frozen food lockers, fast food and vending stalls.
- (v) Tailor shops not employing more than 9 persons and embroidery shops and button-hole making shops not employing more than 9 persons with individual motors not exceeding 1 H. P. and total H. P. not exceeding 3 H. P.
- (vi) Shops for goldsmiths, locksmiths, watch and clock repairs, optical glass grinding and repairs, musical instrument repairs, picture framing, radio and household appliances repairs, upholstery and diamond cutting and polishing not employing, more than 9 persons with individual motors not exceeding 1 H. P. and total H. P. not exceeding 3 H. P.
- (vii) Coffee grinding with electric motive power not exceeding 1 H.P.
- (viii) Auto part stores and show rooms for motor vehicles and machinery.
- (ix) Sale of used or second hand goods or merchandise (not junk, cotton waste, rags or other materials of offensive nature).
- (x) Clubhouses or other recreational activities, conducted as business.
- (xi) Storage of furniture and household goods.
- (xii) Repairs to all household articles (excluding auto vehicle).
- (xiii) Veterinary dispensaries and hospitals.
- (xiv) Repair, cleaning shops and analytical, experimental or testing laboratories not employing more than 15 persons in the industrial activity but not including cleaning and dyeing establishment using a cleaning or dyeing fluid having a flash point lower than 60 degree C. and machines with dry load capacity of 30 kg. for any establishment carrying on activities that are noxious or offensive because of emission of odour, dust, smoke, gas, noise or vibration or otherwise dangerous to public health and safety, provided that the motive power requirement of such establishment does not exceed 10 H. P. .
- (xv) Paper box manufacturing including paper cutting, not employing more than 9 persons, with motive power not exceeding 5 H. P. and area not more than 50 sq.m.
- (xvi) Mattress making and cotton cleaning, not employing more than 9 persons with motive power not exceeding 3 H.P. and area not more than 50 sq.m.
- (xvii) Commercial halls, exhibition halls, community halls, welfare centers, gymnasias, etc.
- (xviii) Art galleries, aquariums.
- (xix) Research, experimental and testing laboratories not involving any danger of fire or explosion nor of any noxious nature and located on a site not less than 4 Ha in area and when the laboratory is kept at least 30 m. from any of the boundaries of the site and the necessary residential buildings 30 m. from the laboratory.
- (xx) Restaurants, eating houses, cafeteria, ice cream and milk bars.



(xxi) Establishment for preparation and sale of eatables not occupying for production an area in excess of 75 sq.m. per establishment and not employing more than 9 persons. Sugarcane and fruit juice crushers not employing more than 6 persons with 1.5 H.P. with area not more than 25 sq.m. shall also come under this sub regulation.

(xxii) Repairing garages not employing more than 9 persons and 2 H.P. motive power in the industrial activity with no floor above.

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(xxiv) Photographic studios and laboratories with not more than 50 sq.m. area, not employing more than 9 persons and not using power more than 3 H.P.

(xxv) Polyclinics or pathology laboratories on independent floors, preferably ground floor.

(xxvi) Residential Hotels or Boarding and Lodging shall be permitted in independent building or parts of building, but on separate floors.

(xxvii) Book Depot, Medicine and chemist shops.

(xxviii) Business/corporate office on any floor.

(xxix) Corporate and other offices, star category hotels.

(xxx) Theatres, cinema houses multiplexes, clubhouses, assembly or concert halls, dance and music studios and such other places of entertainment.

(xxxi) Vegetable, fruit, flour, fish or meat market place with no residences above.

11. M.I.D.C. may from time to time add to or amend the above list with the approval of C.E.O., M.I.D.C.

Therefore, in exercise of the powers conferred by the provisions of section 37, section 40(3) and sub-section (2) of section 115 of the said Act, MIDC publishes notice for inviting objections and suggestions from the general public with respect to proposed modifications to the said regulations not later than thirty days from the date of publication of this notice in *Maharashtra Government Gazette*. The objections and suggestions in writing shall reach office of the Chief Planner MIDC having its office at.

The Chief Planner,  
Maharashtra Industrial Development Corporation.  
Udyog Sarathi, Mahakali Caves Road,  
Marol Industrial Area, Andheri (East), Mumbai 400 093.

After considering the objections/suggestions received within stipulated period, a proposal will be submitted to the Director of Town Planning for approval. The objections/suggestions received after the stipulated period will not be considered.

Mumbai,  
Dated 7th November 2017.

KAMLAKAR AKODE,  
Chief Planner, MIDC.